

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARTIN SIERRA and TYRONE BATTS,
*on behalf of themselves and all others
similarly situated,*

Plaintiffs,

-v.-

RENUE SYSTEMS OF NY-NJ, LLC, and
JUSTIN CHODOS,

Defendants.

20 Civ. 399 (KPF)

**REVISED
ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL**

KATHERINE POLK FAILLA, District Judge:

This matter comes before the Court on the Motion for Preliminary Approval of the Class Action Settlement (“Motion”) submitted by Named Plaintiffs Martin Sierra (“Sierra”) and Tyrone Blatts (“Blatts” and referred to together with Sierra as the “Named Plaintiffs” or “Plaintiffs”), which was filed with the Court on consent of Defendants Renue Systems of NY-NJ, LLC, (“Renue Systems”) and Justin Chodos (together with Renue Systems, “Defendants”) on October 4, 2021. (Dkt. #58.)

Having reviewed the Motion (Dkt. #58), and all documents and exhibits submitted therewith (Dkt. #59, Dkt. #61), this Court GRANTS preliminary approval of the settlement pursuant to Fed. R. Civ. P. 23(e) and 29 U.S.C. § 216(b). Accordingly, the Court hereby ORDERS as follows:

(1) Upon preliminary review, the settlement reached by the parties, as set forth in both the Motion and in the Settlement Agreement, appears to be fair and reasonable to all involved, suffers from no obvious defects, was

reached after arms-length negotiations between the parties, and appears to constitute a reasonable compromise of the claims and defenses in this matter. The Parties are directed to perform according to the terms of their Settlement Agreement, except as expressly indicated otherwise by this Order or other ruling of this Court.

(2) The Court hereby certifies, for settlement purposes only, the settlement class, defined as:

a. Under Fed. R. Civ. P. 23(a) and (b)(3), all commercial cleaners who were employed by Renue Systems during the applicable period from December 11, 2013 to the Present;

b. Under 29 U.S.C. § 216(b), all commercial cleaners who were employed by Renue Systems during the applicable period from December 11, 2013 to the Present and who timely submit a Claim Form, thereby opting into the settlement and, in so doing, releasing their FLSA claims.

(3) The Parties' proposed Notice of Pendency of Class Action Settlement (Dkt. #61-1) and Claim Form (Dkt. #59-5) are hereby approved, are found to be a reasonable means of providing notice to the Class Members under the circumstances, and when completed, shall constitute due and sufficient notice of the settlement to all persons affected by and/or entitled to participate in the settlement, in full compliance with the notice requirements of Rule 23 of the Federal Rules of Civil Procedure and due process of law.

(4) Jaffe Glenn Law Group, P.A. is hereby appointed as counsel for the Class;

(5) Class Counsel has designated, Defendants have consented to, and the Court hereby appoints Arden Claims Service, LLC as the Settlement Claims Administrator.

(6) Class Counsel shall file Plaintiff's Motion for Final Approval by on or before **January 27, 2022**.

(7) The Court will hold a Fairness Hearing on the above-referenced settlement on **February 22, 2022, at 10:00 a.m.**, in Courtroom 618 at the United States District Court, Southern District of New York, 40 Foley Street, New York, New York 10007.

SO ORDERED.

Dated: January 13, 2022
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge